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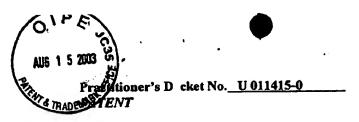
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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John Walker, et al

Serial No.: 08/913,430

Group No.: 1645

Filed: December 9, 1997

Examiner.: Rodney P. Swartz

For: ANTIGEN COMPOSITION AGAINST MYCOPLASMA

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RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 1645

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### AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

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2004 MAR 17 PH 4: 4

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For: ANTIGEN COMPOSITION AGAINST MYCOPLASMA

Attorney Docket No.: U 011415-0

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sirs:

#### REQUEST FOR REFUND

Deposit Account 12-0425 was charged \$410.00 (large entity) for extension within second month (Fee Code 1252) on September 2, 2003 (REF TXT 08913430).

However, The Official Action mailed on March 12, 2003 was premature insofar as Applicants filed a CPA application without payment of the filing fee. A Notice of Missing Parts should have issued rather than an Office Action and our response of August 12, 2003 requested that the Office Action be vacated and the Notice to File Missing Parts be issued.

CERTIFICATE OF MAILING (37 CFR 1.8a)

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JANET I. CORO

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Date: March 10, 2004

Signature of person mailing paper)

STATUS AND ENTITY

On October 9, 2003 the Patent Office vacated the office action of March 12, 2003 and enclosed the requested Notice of Missing Parts.

Therefore, refund by credit to Deposit Account 12-0425 of the two month extension fee is requested.

Respectfully submitted,

26 WEST 61ST STREET

NEW YORK, NEW YORK 10023